

THE HONORABLE RONALD B. LEIGHTON
UNITED STATES DISTRICT COURT JUDGE

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

DANIEL BERRY,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social
Security

Defendant.

NO. C08-5149RBL

STIPULATION AND ORDER RE VENUE FOR
CONSIDERATION OF EAJA AWARD
UNDER EAJA 28 U.S.C. § 2412

It is hereby stipulated and agreed by the undersigned attorneys for the parties that the plaintiff shall be entitled to an award of attorney's fees pursuant to the Equal Access to Justice Act (EAJA) 28 U.S.C § 2412, *et. seq.* following the remand of this case from the Ninth Circuit Court of Appeals and that the parties hereby agree that the appropriate court for this determination shall be the United States District Court for the Western District of Washington at Tacoma.

Dated this 1st day of December 2010.

/s/ Charles W. Talbot
Charles W. Talbot, WSBA # 7448
Attorney for Plaintiff

STIPULATION AND ORDER RE VENUE FOR
CONSIDERATION OF EAJA AWARD - 1

Approved by phone call on November 30, 2010
L. Jamala Edwards
Special Assistant United States Attorney
Attorney for Defendant

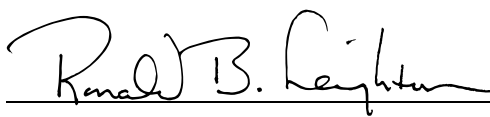
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ORDER/JUDGEMENT

Based on the foregoing stipulation, and the court agreeing, therefore it si hereby

ORDERED, ADJUDGED, AND DECREED that the plaintiff's application for an award of fees pursuant to 28 U.S.C. § 1920, shall be adjudicated by this court following the filing of such an application with this court by the plaintiff.

Dated this 2nd day of December 2010.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

Presented by:

/s/ Charles W. Talbot

Charles W. Talbot WSBA #7448
Attorney for Plaintiff

Approved per phone call on November 30, 2010

Jamala Edwards
Special Assistant United States Attorney
Attorney for Defendant